

OHIO BUREAU OF MOTOR VEHICLES

General information (BMV)

Duties

The **Motor Vehicle Dealers Board (MVDB)** is subject to sections [119.01](#) to [119.12](#) of the Revised Code, the motor vehicle dealers board may make such reasonable rules as are necessary to carry out and effect its duties under this chapter, including such rules as are necessary relating to the time, place, and manner of conducting hearings on the issuance, suspension, or revocation of licenses, and on protests filed under sections [4517.50](#), [4517.52](#), [4517.53](#), [4517.54](#), and [4517.56](#) of the Revised Code. (R.C. 4517.32)

The **Motor Vehicle Salvage Dealer's Licensing Board (MVSDLB)** shall adopt rules prescribing the physical characteristics of facilities used by motor vehicle salvage dealers, salvage motor vehicle auctions, and salvage motor vehicle pools, which shall include requirements for fencing or otherwise screening the view of the facilities to at least the extent required for junkyards by sections [4737.07](#) and [4737.09](#) of the Revised Code. Such rules shall be consistent with the standards adopted by the director of transportation pursuant to the "Highway Beautification Act of 1965," 79 Stat. 1030, 23 U.S.C.A. 361, as amended. The board may make such other reasonable rules as are necessary to carry out and effect sections [4738.01](#) to [4738.12](#) of the Revised Code, and further rules as are necessary relating to the time, place, and manner of conducting hearings on the issuance, suspension, or revocation of licenses. (R.C. 4738.11)

Membership *(Current members, chairperson and other officers, and selection process.)*

MVDB: Christopher Haydocy, Recreational Vehicle Dealer; Robert Huser, New Motor Vehicle Dealer; Rashad Spears, New Motor Vehicle Dealer; Joshua Fox, Used Motor Vehicle Dealer; Michelle Primm (President), New Motor Vehicle Dealer; Thomas Needles, Public Member; Robb Mitchell, Public Member; Neal Barkan, Public Member; Jason Hunt, Motor Vehicle Leasing Dealer; Roberto Vazquez (Vice President), Motor Vehicle Leasing Dealer; Registrar/Designee (Secretary).

The registrar of motor vehicles or the registrar's designee shall be a member of the board, and the other ten members shall be appointed by the governor with the advice and consent of the senate. (R.C. 4517.30)

MVSDLB: Timothy Staup, Salvage Industry; Gary Siciliano (Previous President), Public; Vacant, Public; Vacant, Salvage Industry; Registrar/Designee (Secretary).

The registrar of motor vehicles or his designee shall be a member of the board, and the other four members shall be appointed by the governor with the advice and consent of the senate. (R.C. 4738.09)

Budget (Current budget, description of budgeting process, sources of funding, and expected increases or decreases in budget or funding in future years.)

MVDB: Current budget: \$140,000

Description of budgeting process: Appropriation is requested during the biennial budget request process based on past spending and any planned increases in expenses as well as taking into account available cash in the fund.

Expected increases or decreases in budget or funding in future year: No expected changes to the current budget

Four cents shall be paid into the state treasury to the credit of the motor vehicle dealers board fund, which is hereby created. All investment earnings of the fund shall be credited to the fund. The moneys in the motor vehicle dealers board fund shall be used by the motor vehicle dealers board created under section [4517.30](#) of the Revised Code, together with other moneys appropriated to it, in the exercise of its powers and the performance of its duties under Chapter 4517. of the Revised Code, except that the director of budget and management may transfer excess money from the motor vehicle dealers board fund to the public safety - highway purposes fund if the registrar determines that the amount of money in the motor vehicle dealers board fund, together with other moneys appropriated to the board, exceeds the amount required for the exercise of its powers and the performance of its duties under Chapter 4517. of the Revised Code and requests the director to make the transfer. (R.C. 4505.09)

MVSDLB: There is no current fund for the MVSDLB. All expenses are paid out of the Bureau of Motor Vehicles (BMV) operating fund. There are no expected changes to the current budget.

Workload (Assess current, past, and anticipated workload. Has the workload increased or decreased significantly in the preceding six years?)

*2016: MVDB – 8 cases MVSDLB – 0 cases	2017: MVDB – 61 cases MVSDLB – 3 cases	2018: MVDB – 33 cases MVSDLB – 3 cases
2019: MVDB – 99 cases MVSDLB – 0 cases	**2020: MVDB – 34 cases MVSDLB – 1 case	2021: MVDB – 53 cases MVSDLB – 1 case

Not all cases were heard, some cases came into compliance prior to Notice of Opportunity for a Hearing, some dealers/salesperson choose to cancel their license or application, or dealer had abandoned location and we were not able to get service. Each case is allowed the opportunity for a Continuance therefore some cases may have carried over to the next year, but not counted as a new case for that year. Cases for the MVDB have maintained consistent in numbers while the MVSDLB has not held a hearing since August 29, 2019 due to the lack of cases and two vacancies on the board.

Workload (*Assess current, past, and anticipated workload. Has the workload increased or decreased significantly in the preceding six years?*)

**October 2015 board cases became a part of the new Dealer Licensing System. That is the reason for the low number in cases.*

*** March 2020 COVID – there was a reduction in cases due to temporary closings of businesses.*

Staffing (*How many staff are currently employed by the Bureau? What are their roles? Are staffing levels proportionate to the Bureau's current and anticipated workload?*)

The MVDB/MVSDLB currently has three (3) Administrative Professionals 3 (AP3) who compile all documents for the rules of evidence and produce all due process documents. Staffing levels are proportionate for the current and anticipated workload.

BMV Investigations currently has six (6) Investigator Associates (IA) who are responsible for administering physical inspections for dealerships throughout the state of Ohio. Currently there are ten thousand, five hundred and thirty-seven (10,537) licensed locations (dealers, salvage, in-transit & special plates) that require inspections periodically to ensure they are maintaining compliance with the laws/rules. In addition to current licensed locations the IAs are required to conduct inspections for all new proposed locations that have been applied for.

Dealer Licensing currently has twelve (12) Customer Service Assistants 2 (CSA 2) and one Customer Service Assistant 3 (CSA 3). They are responsible for the day-to-day communication with licensed dealers or new applicants and processing all applications that are received by the department. If an application is denied or the applicant is noncompliant with the laws, they are submitted to the MVDB/MVSDLB by the CSA's.

Dealer Licensing currently has a management team of three (3) and an Administrative Professional 2 (AP2) that oversees the day-to-day operations, the administration of the MVDB/MVSDLB, and the regulation of all new motor vehicle dealer shows.

MVDB: Pursuant to R.C. 4517.31 (B) All clerical, inspection, and other agencies for the execution of the powers and duties vested in the board shall be in the bureau of motor vehicles, which shall provide the necessary employees as authorized by section [4501.02](#) of the Revised Code.

R.C. 4517.33 The board may make rules governing its actions relative to the suspension and revocation of dealers', motor vehicle leasing dealers', distributors', auction owners', salespersons', and construction equipment auction licenses, and may, upon its own motion, and shall, upon the verified complaint in writing of any person, investigate the conduct of any licensee under sections [4517.01](#) to [4517.65](#) of the Revised Code.

Staffing (*How many staff are currently employed by the Bureau? What are their roles? Are staffing levels proportionate to the Bureau's current and anticipated workload?*)

MVSDLB: Pursuant to R.C. 4738.10 (B) All clerical, inspection, and other agencies for the execution of the powers and duties vested in said board shall be in the bureau of motor vehicles, which shall provide the necessary employees as authorized by section [4501.02](#) of the Revised Code.

R.C. 4738.11 The board may require any proof it deems advisable and may require the attendance of witnesses and the production of books, records, and papers as it desires at any hearing before it or relating to any matter which it has authority to investigate.

Administrative hearings and public complaints (*Describe the Bureau's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.*)

MVDB: Once a dealer's license is issued the BMV has no authority to discipline a licensee, only the board has the authority to suspend or revoke a license. The BMV and BMV Investigations attempt to work with dealers to come into compliance prior to administering an administrative hearing.

Physical inspection complaints; BMV Investigations will make an initial visit to the dealer location and advise the owner of any noncompliance issues. Upon arrival, if the location is closed BMV Investigations will attempt to contact the owner. A violation notice outlining the noncompliance issues is emailed to the dealership or mailed to the dealer by the BMV if the dealer has no email address on file. BMV Investigations will advise the owner and/or document on the violation notice a follow-up date (approximately 15 days from initial visit) when BMV Investigations will revisit the dealership location. If a dealer refuses to comply with the laws/rules they are submitted to the BMV to set them for an administrative hearing. The BMV will review the noncompliance issues and may issue a consent agreement in lieu of an administrative hearing.

The processes for the physical inspections are efficient for those licensees who comply with the law/rules. For those licensee's that refuse to comply or work with BMV Investigations to come in compliance in order to avoid an administrative hearing becomes costly and time consuming. The IAs are making multiple visits to the locations (costs of travel) to work with the licensee, taking time that could be used to inspect new proposed locations.

Licensee's that abandon their locations becomes very time consuming for the BMV, BMV Investigations, and Attorney General's Office (AGO). Consumer complaints begin to be filed and all agencies are attempting to locate the dealership/owner to the resolve complaints. Due to the lack of disciplinary authority the BMV may not take action against the licensee to stop them from selling motor vehicles and potentially continue to harm consumers. The efficiency of this process denies the BMV the opportunity to protect consumers from financial harm.

Administrative hearings and public complaints *(Describe the Bureau's processes for administering discipline and addressing complaints. Assess the efficiency of the processes.)*

Records and/or motor vehicle sale complaints; BMV Investigations will investigate the details of the complaint, work with the BMV if applicable, and either attempt to get the dealer to be complaint or begin to compile evidence to file charges in a court of law.

Not receiving title and unfair and deceptive acts of practice complaints; The AGO will attempt to work with the consumer and dealer to resolve the complaint. After mitigation and no response from the dealer, for a title complaint the consumer may be made whole by either relinquishing the motor vehicle or taking payment from the Title Defect Recission Fund (TDR). For deceptive acts of practice, cases are filed against the licensee in a court of law.

New motor vehicle dealer

Survey responses (BMV)

Description

Any person engaged in the business of selling at retail, displaying, offering for sale, or dealing in new motor vehicles pursuant to a contract or agreement entered into with the manufacturer, remanufacturer, or distributor of the motor vehicles.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)

License, registration, inspection, occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	2021: 83 New Dealer/APV/Motorcycle licenses issued
Number renewed annually	<i>Dealers Licenses are renewed biennially.</i> 2020: 738 New Dealers renewed 2021: 770 New Dealers renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	In 2021 and to date (9/13/22) there has been an increase in newly issued licenses due to franchise takeovers. <i>(This is not an increase in new dealer locations in Ohio just the changing of ownership.)</i> 2016: 69 New Dealer/APV/Motorcycle licenses issued 2017: 60 New Dealer/APV/Motorcycle licenses issued 2018: 68 New Dealer/APV/Motorcycle licenses issued 2019: 52 New Dealer/APV/Motorcycle licenses issued 2020: 57 New Dealer/APV/Motorcycle licenses issued
Education or training requirements	No.

If the regulation is a registration, certification, or license requirement, please complete the following:

Experience requirements	No.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)	No.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	No.
Initial fee	\$254.75 plus any additional plates (optional) at \$10.25 each.
Duration	2 years
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$100 plus \$10.00 for each additional plate.
Does the Bureau recognize uniform licensure requirements or allow for reciprocity?	No. Each state varies in their requirements for such license.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No.

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?</p>	<p>No, not with the sale of new motor vehicles. A franchise agreement is required to sell new motor vehicles.</p>
<p>Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>A franchise agreement is required to sell new motor vehicles. A brick-and-mortar location is required to be maintained for a dealer’s license, as is required in all states.</p>

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4517.12 of the Revised Code lists the reasons for the denial of a dealer’s application by the Registrar.

Section 4517.33 of the Revised Code gives authority to the Motor Vehicle Dealer’s Board (Board) to hear appeals from an order of the Registrar refusing to issue a license. The Board may suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4517.01](#) to [4517.65](#) of the Revised Code, or has violated section [4501.02](#) of the Revised Code, or has been convicted of committing a felony or violating any law that in any way relates to the selling, taxing, licensing, or regulation of sales of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

For an initial application \$150 is deposited into the state treasury to the credit of the title defect recission fund created in section [1345.52](#) of the Revised Code.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Odometer Disclosure Requirements: **49 CFR 580**

Odometer Tampering/Violations: **49 USC 327**

Buyers Guides: **16 CFR 455.2**

Gramm Leach Biley Privacy Protection Act (GLBPA): **15 USC 6801 - 6809**

Standards of Safeguarding Customer Information: **16 CFR 314**

Federal Trade Commission (FTC)/Used Motor Vehicle Trade Regulation Rule: **16 CFR 455**

- *FTC regulates the federal laws for the Unfair or Deceptive Acts or Practices by Motor Vehicle Dealers.*

Office of Foreign Asset Control (OFAC): **31 CFR 501**

IRS 8300/Returns related to Cash Received in Trade or Business: **26 USC 60501**

Red Flags Rule/Identity Theft: **16 CFR 681**

Duties of Creditors Regarding Risk Based Pricing Rule: **16 CFR 640**

Truth in Lending Act (TILA): **12 CFR 1026**

USA Patriot Act: **Pub. L. No. 107-56**

Equal Credit Opportunity Act (ECOA): **15 USC 41**

The Magnuson-Moss Warranty Act (Lemon Law): **15 USC 50**

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

New Motor Vehicle Dealer's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4517.02 and 4517.04</i>).	New motor vehicle dealer license (<i>Ind. Code 9-32-11-1</i>).	Registration (new motor vehicle dealer license) (<i>Ky. Rev. Stat. 190.030</i>).	Dealer license with new vehicle dealer classification (<i>Mich. Comp. Laws 257.248</i>).	New vehicle dealer license (<i>63 Pa. Stat. 818.303 and 818.321</i>).	Registration (new motor vehicle dealer license certificate) (<i>W. Va. Code 17A-6-3</i>).
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$50 (<i>R.C. 4517.10</i>).	\$30 (<i>Ind. Code 9-32-11-2</i>).	\$200 per office or branch plus \$200 for supplemental license for each nonadjacent used car lot (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	\$75 (<i>Mich. Comp. Laws 257.807</i>).	\$65 (<i>63 Pa. Stat. 818.330; 49 Pa. Code 19.4</i>).	\$250 (<i>W. Va. Code 17A-6-10</i>).

New Motor Vehicle Dealer's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License duration	Two years (<i>R.C. 4517.10</i>).	One year (<i>Ind. Code 9-32-11-12.5</i>).	One year (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	One year (<i>Mich. Comp. Laws 257.248</i>).	Two years (<i>63 Pa. Stat. 818.304</i>).	One year (<i>W. Va. Code 17A-6-10</i>).
Renewal fee	\$50 (<i>R.C. 4517.10</i>).	\$30 (<i>Ind. Code 9-32-11-12.5</i>).	\$200 per office or branch plus \$200 for supplemental license for each nonadjacent used car lot (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	\$75 (<i>Mich. Comp. Laws 257.807</i>).	\$175 (<i>63 Pa. Stat. 818.330; 49 Pa. Code 19.4</i>).	\$100 (<i>W. Va. Code 17A-6-10</i>).

Used motor vehicle dealer

Survey responses (BMV)

Description
Any person engaged in the business of selling, displaying, offering for sale, or dealing in used motor vehicles, at retail or wholesale, but does not mean any new motor vehicle dealer selling, displaying, offering for sale, or dealing in used motor vehicles incidentally to engaging in the business of selling, displaying, offering for sale, or dealing in new motor vehicles, any person engaged in the business of dismantling, salvaging, or rebuilding motor vehicles by means of using used parts, or any public officer performing official duties.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)

License, registration, inspection, bonding and occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	2021: 400 Used Dealer/APV/Motorcycle licenses issued
Number renewed annually	<i>Dealers Licenses are renewed biennially.</i> 2020: 2,466 Used Dealers renewed 2021: 2,579 Used Dealers renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	With the introduction of large online car companies (Carvana, Vroom, etc.) we have seen a slight decrease in used dealer applications. 2016: 484 Used Dealer/APV/Motorcycle licenses issued 2017: 510 Used Dealer/APV/Motorcycle licenses issued 2018: 420 Used Dealer/APV/Motorcycle licenses issued 2019: 425 Used Dealer/APV/Motorcycle licenses issued 2020: 361 Used Dealer/APV/Motorcycle licenses issued
Education or training requirements	Yes.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Experience requirements	No.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)	No.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	No.
Initial fee	\$254.75 plus any additional plates (optional) at \$10.25 each.
Duration	2 years
Renewal fee (<i>If different from initial fee, please explain why.</i>)	\$100 plus \$10.00 for each additional plate.
Does the Bureau recognize uniform licensure requirements or allow for reciprocity?	No. Each state varies in their requirements for such license.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No.

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?</p>	<p>Yes. A person may perform up to 5 casual sales of motor vehicles within a calendar year without having to obtain a motor vehicle dealers license; casual sale meaning from person to a person who purchases the motor vehicle for use as a consumer.</p>
<p>Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>A brick-and-mortar location is required to be maintained for a dealer’s license, as is required in all states.</p>

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4517.12 of the Revised Code lists the reasons for the denial of a dealer’s application by the Registrar.

Section 4517.33 of the Revised Code gives authority to the Motor Vehicle Dealer’s Board (Board) to hear appeals from an order of the Registrar refusing to issue a license. The Board may suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4517.01](#) to [4517.65](#) of the Revised Code, or has violated section [4501.02](#) of the Revised Code, or has been convicted of committing a felony or violating any law that in any way relates to the selling, taxing, licensing, or regulation of sales of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

For an initial application \$150 is deposited into the state treasury to the credit of the title defect recission fund created in section [1345.52](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Odometer Disclosure Requirements: **49 CFR 580**

Odometer Tampering/Violations: **49 USC 327**

Buyers Guides: **16 CFR 455.2**

Gramm Leach Biley Privacy Protection Act (GLBPA): **15 USC 6801 - 6809**

Standards of Safeguarding Customer Information: **16 CFR 314**

Federal Trade Commission (FTC)/Used Motor Vehicle Trade Regulation Rule: **16 CFR 455**

- *FTC regulates the federal laws for the Unfair or Deceptive Acts or Practices by Motor Vehicle Dealers.*

Office of Foreign Asset Control (OFAC): **31 CFR 501**

IRS 8300/Returns related to Cash Received in Trade or Business: **26 USC 60501**

Red Flags Rule/Identity Theft: **16 CFR 681**

Duties of Creditors Regarding Risk Based Pricing Rule: **16 CFR 640**

Truth in Lending Act (TILA): **12 CFR 1026**

USA Patriot Act: **Pub. L. No. 107-56**

Equal Credit Opportunity Act (ECOA): **15 USC 41**

The Magnuson-Moss Warranty Act (Lemon Law): **15 USC 50**

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

No, not for used motor vehicle dealers. Less restrictive will only continue to increase the fraud and deceptive trade practices acts that are present today.

Are there any changes the Bureau would like to see implemented?

In order to attempt to decrease fraud and deceptive trade practices by used motor vehicle dealers the following implementations would be effective:

- Amend section 4505.181 of the Revised Code to require certificate of titles be in the dealership name prior to advertising a motor vehicle for sale online. This amendment would be specific to used dealerships.
- In conjunction with the above bullet, propose legislation for the regulation of online sales (dealers such as Carvana and Vroom) and create licensing requirements for the physical locations where vehicles are being stored throughout Ohio.
- Require a provisional used license that would give the dealer one-hundred and eighty (180) days to operate and prior to the 180 days the location and records will be re-inspected to ensure they are complying with dealer law. This process of a provisional license exists for a salvage dealer license and has proven to be beneficial to the industry.

Surrounding state comparison (LSC)

Used Motor Vehicle Dealer's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4517.02 and 4517.05</i>).	Used motor vehicle dealer license (<i>Ind. Code 9-32-11-1</i>).	Registration (used motor vehicle dealer license) (<i>Ky. Rev. Stat. 190.030</i>).	Dealer license with used or secondhand vehicle dealer classification (<i>Mich. Comp. Laws 257.248</i>).	Used vehicle dealer license (<i>63 Pa. Stat. 818.303 and 818.321</i>).	Registration (used motor vehicle dealer license certificate) (<i>W. Va. Code 17A-6-3</i>).
Education or training	Six-hour training on applicable federal and state law, including laws governing the sale and distribution of motor vehicles (<i>R.C. 4517.05; O.A.C. 4501:1-3-01 and 4501:1-3-02</i>).	N/A	N/A	Training on consumer protection and sales and use tax collection (<i>Mich. Comp. Laws 257.248</i>).	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	At least two hours every two years (<i>Mich. Comp. Laws 257.248</i>).	N/A	N/A

Used Motor Vehicle Dealer's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	\$50 (<i>R.C. 4517.10</i>).	\$30 (<i>Ind. Code 9-32-11-2</i>).	\$200 per office or branch (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	\$75 (<i>Mich. Comp. Laws 257.807</i>).	\$65 (<i>63 Pa. Stat. 818.330; 49 Pa. Code 19.4</i>).	\$250 (<i>W. Va. Code 17A-6-10</i>).
License duration	Two years (<i>R.C. 4517.10</i>).	One year (<i>Ind. Code 9-32-11-12.5</i>).	One year (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	One year (<i>Mich. Comp. Laws 257.248</i>).	Two years (<i>63 Pa. Stat. 818.304</i>).	One year (<i>W. Va. Code 17A-6-10</i>).
Renewal fee	\$50 (<i>R.C. 4517.10</i>).	\$30 (<i>Ind. Code 9-32-11-12.5</i>).	\$200 per office or branch (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	\$75 (<i>Mich. Comp. Laws 257.807</i>).	\$175 (<i>63 Pa. Stat. 818.330; 49 Pa. Code 19.4</i>).	\$100 (<i>W. Va. Code 17A-6-10</i>).

Motor vehicle leasing dealer

Survey responses (BMV)

Description
Any person engaged in the business of regularly making available, offering to make available, or arranging for another person to use a motor vehicle pursuant to a bailment, lease, sublease, or other contractual arrangement under which a charge is made for its use at a periodic rate for a term of thirty days or more, and title to the motor vehicle is in and remains in the motor vehicle leasing dealer who originally leases it.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)

License, registration, inspection, bonding and occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	2021: 35 Leasing Dealer licenses issued
Number renewed annually	<i>Dealers Licenses are renewed biennially.</i> 2020: 496 Leasing Dealers renewed 2021: 455 Leasing Dealers renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	Yes. With the franchise finance companies and the banks maintaining the leases instead of the dealers the need for a leasing license has decreased. 2016: 29 Leasing Dealer licenses issued 2017: 26 Leasing Dealer licenses issued 2018: 45 Leasing Dealer licenses issued 2019: 27 Leasing Dealer licenses issued 2020: 17 Leasing Dealer licenses issued
Education or training requirements	No.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Experience requirements	No.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)	No.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	No.
Initial fee	<p><u>In-State Leasing Dealers</u></p> <p>\$204.50 without Master Plate (optional)</p> <p>\$254.75 with Master Plate plus any additional plates (optional) at \$10.25 each.</p> <p><u>Out-of-State Leasing Dealers (Financial Institutions)</u></p> <p>\$200 – no plates allowed</p>
Duration	2 Years
Renewal fee (<i>If different from initial fee, please explain why.</i>)	<p><u>In-State Leasing Dealers</u></p> <p>\$50 without Master Plate (optional)</p> <p>\$100 with Master Plate plus \$10.00 for each additional plate.</p> <p><u>Out-of-State Leasing Dealers (Financial Institutions)</u></p> <p>\$50 for leasing license only</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Bureau recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. Each state varies in their requirements for such license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No.</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?</p>	<p>Yes. If a commercial company or manufacturer leases their own vehicles to their employees, a leasing license is not required.</p>
<p>Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>A brick-and-mortar location is required to be maintained for a dealer’s license, as is required in all states.</p>

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4517.12 of the Revised Code lists the reasons for the denial of a leasing dealer application by the Registrar.

Section 4517.33 of the Revised Code gives authority to the Motor Vehicle Dealer’s Board (Board) to hear appeals from an order of the Registrar refusing to issue a license. The Board may suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4517.01](#) to [4517.65](#) of the Revised Code, or has violated section [4501.02](#) of the Revised Code, or has been convicted of committing a felony or violating any law that in any way relates to the selling, taxing, licensing, or regulation of sales of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

For an initial application \$150 is deposited into the state treasury to the credit of the title defect recission fund created in section [1345.52](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Odometer Disclosure Requirements: **49 CFR 580**

Odometer Tampering/Violations: **49 USC 327**

Buyers Guides: **16 CFR 455.2**

Gramm Leach Biley Privacy Protection Act (GLBPA): **15 USC 6801 - 6809**

Standards of Safeguarding Customer Information: **16 CFR 314**

Federal Trade Commission (FTC)/Used Motor Vehicle Trade Regulation Rule: **16 CFR 455**

- *FTC regulates the federal laws for the Unfair or Deceptive Acts or Practices by Motor Vehicle Dealers.*

Office of Foreign Asset Control (OFAC): **31 CFR 501**

IRS 8300/Returns related to Cash Received in Trade or Business: **26 USC 60501**

Red Flags Rule/Identity Theft: **16 CFR 681**

Duties of Creditors Regarding Risk Based Pricing Rule: **16 CFR 640**

Truth in Lending Act (TILA): **12 CFR 1026**

USA Patriot Act: **Pub. L. No. 107-56**

Equal Credit Opportunity Act (ECOA): **15 USC 41**

The Magnuson-Moss Warranty Act (Lemon Law): **15 USC 50**

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

Motor Vehicle Leasing Dealer's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4517.02 and 4517.06</i>).	No clear equivalent.	Registration (motor vehicle leasing dealer license) (<i>Ky. Rev. Stat. 190.030</i>).	No clear equivalent. Duties appear to fall under dealer license. (<i>Mich. Comp. Laws 257.248</i> .)	No clear equivalent.	Registration (daily passenger rental car business license certificate) (<i>W. Va. Code 17A-6D-1</i>).
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$50 ³ (<i>R.C. 4517.10</i>).	N/A	\$200 per office or branch (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	N/A	N/A	\$250 (<i>W. Va. Code 17A-6D-6</i>).

³ In addition to the initial licensure fee and renewal fee, an applicant for an initial or renewed motor vehicle leasing dealer's license or a new or used motor vehicle dealer's license may be required to pay a separate fee up to \$150 if needed to fund the Title Defect Recision Fund (*R.C. 4505.181(J) and 4517.10*).

Motor Vehicle Leasing Dealer's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
License duration	Two years (<i>R.C. 4517.10</i>).	N/A	One year (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	N/A	N/A	One year (<i>W. Va. Code 17A-6D-9</i>).
Renewal fee	\$50 (<i>R.C. 4517.10</i>).	N/A	\$200 per office or branch (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	N/A	N/A	\$100 (<i>W. Va. Code 17A-6D-6</i>).

Motor vehicle auction owner

Survey responses (BMV)

Description
Auction owner is any person who is engaged wholly or in part in the business of auctioning motor vehicles, but does not mean a construction equipment auctioneer or a construction equipment auction licensee.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)

License, registration, inspection, bonding and occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	2021: 2 Auction Owner licenses issued
Number renewed annually	<i>Dealers Licenses are renewed biennially.</i> 2020: 13 Auction Owners renewed 2021: 17 Auction Owners renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	2016: 3 Auction Owner licenses issued 2017: 2 Auction Owner licenses issued 2018: 0 Auction Owner licenses issued 2019: 1 Auction Owner licenses issued 2020: 1 Auction Owner licenses issued
Education or training requirements	No.
Experience requirements	No.

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No.</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>No.</p>
<p>Initial fee</p>	<p><u>In-State Leasing Dealers</u> \$100.00 without Master Plate (optional). \$204.75 with Master Plate plus any additional plates (optional) at \$6.25 each.</p>
<p>Duration</p>	<p>2 Years.</p>
<p>Renewal fee (<i>If different from initial fee, please explain why.</i>)</p>	<p><u>Auction Owner</u> \$100 without Master Plate (optional) \$200 with Master Plate plus \$6.00 for each additional plate.</p>
<p>Does the Bureau recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. Each state varies in their requirements for such license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?</p>	<p>Yes. A license is not required for an Estate Auction that includes motor vehicles that is performed by a licensed auctioneer issued by the Department of Agriculture.</p>
<p>Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>A brick-and-mortar location is required to be maintained for an auction license, as is required in all states.</p>

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4517.12 of the Revised Code lists the reasons for the denial of an auction owner application by the Registrar.

Section 4517.33 of the Revised Code gives authority to the Motor Vehicle Dealer’s Board (Board) to hear appeals from an order of the Registrar refusing to issue a license. The Board may suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4517.01](#) to [4517.65](#) of the Revised Code, or has violated section [4501.02](#) of the Revised Code, or has been convicted of committing a felony or violating any law that in any way relates to the selling, taxing, licensing, or regulation of sales of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Odometer Disclosure Requirements: **49 CFR 580**

Odometer Tampering/Violations: **49 USC 327**

Buyers Guides: **16 CFR 455.2**

Gramm Leach Biley Privacy Protection Act (GLBPA): **15 USC 6801 - 6809**

Standards of Safeguarding Customer Information: **16 CFR 314**

Federal Trade Commission (FTC)/Used Motor Vehicle Trade Regulation Rule: **16 CFR 455**

- *FTC regulates the federal laws for the Unfair or Deceptive Acts or Practices by Motor Vehicle Dealers.*

Office of Foreign Asset Control (OFAC): **31 CFR 501**

IRS 8300/Returns related to Cash Received in Trade or Business: **26 USC 60501**

Red Flags Rule/Identity Theft: **16 CFR 681**

Duties of Creditors Regarding Risk Based Pricing Rule: **16 CFR 640**

Truth in Lending Act (TILA): **12 CFR 1026**

USA Patriot Act: **Pub. L. No. 107-56**

Equal Credit Opportunity Act (ECOA): **15 USC 41**

The Magnuson-Moss Warranty Act (Lemon Law): **15 USC 50**

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

Motor Vehicle Auction Owner's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4517.02 and 4517.07</i>).	Automobile auction company license (<i>Ind. Code 9-32-2-4 and 9-32-11-1</i>).	Registration (motor vehicle auction dealer license) (<i>Ky. Rev. Stat. 190.030</i>).	Dealer license with broker classification (<i>Mich. Comp. Laws 257.248</i>).	Public or retail vehicle auction license (<i>63 Pa. Stat. 818.303 and 818.321</i>).	Registration (automobile auction license certificate) (<i>W. Va. Code 17A-6C-1</i>).
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$100 per location (<i>R.C. 4517.10</i>).	\$30 (<i>Ind. Code 9-32-11-2</i>).	\$200 (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	\$75 (<i>Mich. Comp. Laws 257.807</i>).	\$65 (<i>63 Pa. Stat. 818.330; 49 Pa. Code 19.4</i>).	\$250 (<i>W. Va. Code 17A-6C-4</i>).
License duration	Two years (<i>R.C. 4517.10</i>).	One year (<i>Ind. Code 9-32-11-12.5</i>).	One year (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	One year (<i>Mich. Comp. Laws 257.248</i>).	Two years (<i>63 Pa. Stat. 818.304</i>).	One year (<i>W. Va. Code 17A-6C-7</i>).

Motor Vehicle Auction Owner's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Renewal fee	\$100 per location (R.C. 4517.10).	\$30 (Ind. Code 9-32-11-12.5).	\$200 (Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215).	\$75 (Mich. Comp. Laws 257.807).	\$175 (63 Pa. Stat. 818.330 and 49 Pa. Code 19.4).	\$100 (W. Va. Code 17A-6C-4).

Motor vehicle distributor

Survey responses (BMV)

Description
Distributor is any person authorized by a motor vehicle manufacturer to distribute new motor vehicles to licensed new motor vehicle dealers, but does not mean a person who only assembles or installs a body, special equipment unit, finishing trim, or accessories on a motor vehicle chassis supplied by a manufacturer or distributor.
Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)
License, registration, inspection, bonding and occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	2021: 3 Distributor /Motorcycle Distributor licenses issued
Number renewed annually	<i>Distributor Licenses are renewed biennially.</i> 2020: 24 Distributor /Motorcycle Distributor renewed 2021: 24 Distributor /Motorcycle Distributor renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	2016: 4 Distributor /Motorcycle Distributor licenses issued 2017: 3 Distributor /Motorcycle Distributor licenses issued 2018: 5 Distributor /Motorcycle Distributor licenses issued 2019: 3 Distributor /Motorcycle Distributor licenses issued 2020: 9 Distributor /Motorcycle Distributor licenses issued
Education or training requirements	No.
Experience requirements	No.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)	No.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	No.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Initial fee	<p><u>In-State Distributors</u> \$154.75 with Master Plate plus any additional plates (optional) at \$10.25 each.</p> <p><u>Out-of-State Distributors</u> \$100 – no plates allowed.</p>
Duration	2 Years
Renewal fee <i>(If different from initial fee, please explain why.)</i>	<p><u>In-State Distributors</u> \$150 with Master Plate plus \$10.00 for each additional plate.</p> <p><u>Out-of-State Distributors</u> \$100 for distributor license only.</p>
Does the Bureau recognize uniform licensure requirements or allow for reciprocity?	No. Each state varies in their requirements for such license.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?	No.

If the regulation is a registration, certification, or license requirement, please complete the following:

Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?

Yes.

Other information (*Significant attributes or prerequisites to licensure not addressed in this chart.*)

A brick-and-mortar location is required to be maintained for a distributor's license, as is required in all states.

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4517.13 of the Revised Code lists the reasons for the denial of a distributor's application by the Registrar.

Section 4517.33 of the Revised Code gives authority to the Motor Vehicle Dealer's Board (Board) to hear appeals from an order of the Registrar refusing to issue a license. The Board may suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4517.01](#) to [4517.65](#) of the Revised Code, or has violated section [4501.02](#) of the Revised Code, or has been convicted of committing a felony or violating any law that in any way relates to the selling, taxing, licensing, or regulation of sales of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Odometer Disclosure Requirements: **49 CFR 580**

Odometer Tampering/Violations: **49 USC 327**

Buyers Guides: **16 CFR 455.2**

Gramm Leach Biley Privacy Protection Act (GLBPA): **15 USC 6801 - 6809**

Standards of Safeguarding Customer Information: **16 CFR 314**

Federal Trade Commission (FTC)/Used Motor Vehicle Trade Regulation Rule: **16 CFR 455**

- *FTC regulates the federal laws for the Unfair or Deceptive Acts or Practices by Motor Vehicle Dealers.*

Office of Foreign Asset Control (OFAC): **31 CFR 501**

IRS 8300/Returns related to Cash Received in Trade or Business: **26 USC 60501**

Red Flags Rule/Identity Theft: **16 CFR 681**

Duties of Creditors Regarding Risk Based Pricing Rule: **16 CFR 640**

Truth in Lending Act (TILA): **12 CFR 1026**

USA Patriot Act: **Pub. L. No. 107-56**

Equal Credit Opportunity Act (ECOA): **15 USC 41**

The Magnuson-Moss Warranty Act (Lemon Law): **15 USC 50**

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

Motor Vehicle Distributor's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4517.02 and 4517.08</i>).	Distributor license (<i>Ind. Code 9-32-11-1</i>).	Registration (distributor license) (<i>Ky. Rev. Stat. 190.030</i>).	Dealer license with broker classification (<i>Mich. Comp. Laws 257.248; Mich. Admin. Code R. 257.181</i>).	Distributor license (<i>63 Pa. Stat. 818.303 and 818.321</i>).	Registration (transporter license certificate) (<i>W. Va. Code 17A-6-10a</i>).

Motor Vehicle Distributor's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$100 per distributorship (R.C. 4517.10).	\$35 (Ind. Code 9-32-11-2).	\$200 (Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215).	\$75 (Mich. Comp. Laws 257.807).	\$30 (63 Pa. Stat. 818.330; 49 Pa. Code 19.4).	\$250 (W. Va. Code 17A-6-10a).
License duration	Two years (R.C. 4517.10).	One year (Ind. Code 9-32-11-12.5).	One year (Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215).	One year (Mich. Comp. Laws 257.248).	Two years (63 Pa. Stat. 818.304).	One year (W. Va. Code 17A-6-10a).
Renewal fee	\$100 per distributorship (R.C. 4517.10).	\$35 (Ind. Code 9-32-11-12.5).	\$200 (Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215).	\$75 (Mich. Comp. Laws 257.807).	\$175 (63 Pa. Stat. 818.330; 49 Pa. Code 19.4).	\$100 (W. Va. Code 17A-6-10a).

Motor vehicle salesperson

Survey responses (BMV)

Description
Any person employed by a dealer to sell, display, and offer for sale, or deal in motor vehicles for a commission, compensation, or other valuable consideration, but does not mean any public officer performing official duties.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)
License, registration, inspection, bonding and occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	2021: 2,840 Salesperson licenses issued
Number renewed annually	<i>Dealers Licenses are renewed biennially.</i> 2020: 6,818 Salesperson licenses renewed 2021: 7,078 Salesperson licenses renewed

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?</p>	<p>2016: 1,059 Salesperson licenses issued 2017: 1,613 Salesperson licenses issued 2018: 1,604 Salesperson licenses issued 2019: 4,000 Salesperson licenses issued 2020: 2,809 Salesperson licenses issued</p>
<p>Education or training requirements</p>	<p>No.</p>
<p>Experience requirements</p>	<p>No.</p>
<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No.</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>No.</p>
<p>Initial fee</p>	<p>\$10 per person.</p>
<p>Duration</p>	<p>2 Years</p>
<p>Renewal fee (<i>If different from initial fee, please explain why.</i>)</p>	<p>\$10 per license.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Does the Bureau recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. Each state varies in their requirements for such license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No.</p>
<p>Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?</p>	<p>Yes. A person may perform up to 5 casual sales of motor vehicles within a calendar year without having to obtain a salesperson license; casual sale meaning from person to a person who purchases the motor vehicle for use as a consumer.</p>
<p>Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?</p>	<p>Yes.</p>
<p>Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)</p>	<p>All persons must obtain a Bureau of Criminal Investigation (BCI) Background Check prior to the issuance of a license.</p>

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4517.14 of the Revised Code lists the reasons for the denial of a salesperson application by the Registrar.

Section 4517.33 of the Revised Code gives authority to the Motor Vehicle Dealer’s Board (Board) to hear appeals from an order of the Registrar refusing to issue a license. The Board may suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4517.01](#) to [4517.65](#) of the Revised Code, or has violated section [4501.02](#) of the Revised Code, or has been convicted of committing a felony or violating any law that in any way relates to the selling, taxing, licensing, or regulation of sales of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Odometer Disclosure Requirements: **49 CFR 580**

Odometer Tampering/Violations: **49 USC 327**

Buyers Guides: **16 CFR 455.2**

Gramm Leach Biley Privacy Protection Act (GLBPA): **15 USC 6801 - 6809**

Standards of Safeguarding Customer Information: **16 CFR 314**

Federal Trade Commission (FTC)/Used Motor Vehicle Trade Regulation Rule: **16 CFR 455**

- *FTC regulates the federal laws for the Unfair or Deceptive Acts or Practices by Motor Vehicle Dealers.*

Office of Foreign Asset Control (OFAC): **31 CFR 501**

IRS 8300/Returns related to Cash Received in Trade or Business: **26 USC 60501**

Red Flags Rule/Identity Theft: **16 CFR 681**

Duties of Creditors Regarding Risk Based Pricing Rule: **16 CFR 640**

Truth in Lending Act (TILA): **12 CFR 1026**

USA Patriot Act: **Pub. L. No. 107-56**

Equal Credit Opportunity Act (ECOA): **15 USC 41**

The Magnuson-Moss Warranty Act (Lemon Law): **15 USC 50**

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

Motor Vehicle Salesperson's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4517.02 and 4517.09</i>).	No clear equivalent.	Registration (motor vehicle salesperson's license) (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:051</i>).	No clear equivalent.	Salesperson's license (<i>63 Pa. Stat. 818.303 and 818.321</i>).	No clear equivalent.
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$10 (<i>R.C. 4517.10</i>).	N/A	\$40 (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	N/A	\$25 (<i>63 Pa. Stat. 818.330; 49 Pa. Code 19.4</i>).	N/A
License duration	Two years (<i>R.C. 4517.10</i>).	N/A	One year (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	N/A	Two years (<i>63 Pa. Stat. 818.304</i>).	N/A

Motor Vehicle Salesperson's License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Renewal fee	\$10 (R.C. 4517.10).	N/A	\$40 (Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215).	N/A	\$90 (63 Pa. Stat. 818.330; 49 Pa. Code 19.4).	N/A

Construction equipment auction

Survey responses (BMV)

Description
A person who holds both a valid auction firm license issued under Chapter 4707. of the Revised Code and a valid construction equipment auction license issued under this chapter.
Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)
License, registration, inspection, occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	2021: 0 Construction Equipment Auction licenses issued
Number renewed annually	<i>Construction Equipment Auction License is renewed every five (5) years.</i> 2021: 1 Construction Equipment Auction License renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	2016: 0 Construction Equipment Auction licenses issued 2017: 0 Construction Equipment Auction licenses issued 2018: 0 Construction Equipment Auction licenses issued 2019: 0 Construction Equipment Auction licenses issued 2020: 0 Construction Equipment Auction licenses issued
Education or training requirements	No.
Experience requirements	Must obtain an auction firm license from the Department of Agricultural prior to applying for a Construction Equipment Auction license.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)	No.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	No.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Initial fee	\$7,500 for the license.
Duration	5 Years.
Renewal fee (If different from initial fee, please explain why.)	\$7,500 for renewal.
Does the Bureau recognize uniform licensure requirements or allow for reciprocity?	No. Each state varies in their requirements for such license.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?	No.
Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes.
Other information (Significant attributes or prerequisites to licensure not addressed in this chart.)	Must obtain an auction firm license from the Department of Agriculture prior to applying for a Construction Equipment Auction license. Licensee must report annually certification stating the gross proceeds generated from auctions held at the auction sight.

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4517.171 of the Revised Code lists the reasons for the denial of a construction equipment auction application by the Registrar.

Section 4517.33 of the Revised Code gives authority to the Motor Vehicle Dealer's Board (Board) to hear appeals from an order of the Registrar refusing to issue a license. The Board may suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4517.01](#) to [4517.65](#) of the Revised Code, or has violated section [4501.02](#) of the Revised Code, or has been convicted of committing a felony or violating any law that in any way relates to the selling, taxing, licensing, or regulation of sales of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Odometer Disclosure Requirements: **49 CFR 580**

Odometer Tampering/Violations: **49 USC 327**

Buyers Guides: **16 CFR 455.2**

Gramm Leach Biley Privacy Protection Act (GLBPA): **15 USC 6801 - 6809**

Standards of Safeguarding Customer Information: **16 CFR 314**

Federal Trade Commission (FTC)/Used Motor Vehicle Trade Regulation Rule: **16 CFR 455**

- *FTC regulates the federal laws for the Unfair or Deceptive Acts or Practices by Motor Vehicle Dealers.*

Office of Foreign Asset Control (OFAC): **31 CFR 501**

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

IRS 8300>Returns related to Cash Received in Trade or Business: **26 USC 60501**

Red Flags Rule/Identity Theft: **16 CFR 681**

Duties of Creditors Regarding Risk Based Pricing Rule: **16 CFR 640**

Truth in Lending Act (TILA): **12 CFR 1026**

USA Patriot Act: **Pub. L. No. 107-56**

Equal Credit Opportunity Act (ECOA): **15 USC 41**

The Magnuson-Moss Warranty Act (Lemon Law): **15 USC 50**

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

Construction Equipment Auction License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4517.02 and 4517.17</i>).	No clear equivalent. Duties might fall under automobile auction company license. (<i>Ind. Code 9-32-2-4 and 9-32-11-1.</i>)	No clear equivalent. Duties might fall under motor vehicle auction dealer license. (<i>Ky. Rev. Stat. 190.030.</i>)	No clear equivalent.	No clear equivalent.	No clear equivalent. Duties might fall under automobile auction license certificate. (<i>W. Va. Code 17A-6C-1.</i>)
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A

Construction Equipment Auction License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	\$7,500 (R.C. 4517.17).	N/A	N/A	N/A	N/A	N/A
License duration	Five years (R.C. 4517.17).	N/A	N/A	N/A	N/A	N/A
Renewal fee	\$7,500 (R.C. 4517.17).	N/A	N/A	N/A	N/A	N/A

Salvage motor vehicle dealer

Survey responses (BMV)

Description
Any person who engages in business primarily for the purpose of selling salvage motor vehicle parts and secondarily for the purpose of selling at retail salvage motor vehicles or manufacturing or selling a product of gradable scrap metal.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)

License, registration, inspection, bonding and occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	2021: 24 Salvage Dealer licenses issued
Number renewed annually	Salvage Licenses are renewed <i>biennially</i> . 2020: 210 Salvage Dealer licenses renewed 2021: 232 Salvage Dealer licenses renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	2016: 17 Salvage Dealer licenses issued 3 Salvage Motorcycle/Motor scooter/APV licenses issued 2017: 21 Salvage Dealer licenses issued 2018: 12 Salvage Dealer licenses issued 2019: 16 Salvage Dealer licenses issued 2020: 10 Salvage Dealer licenses issued
Education or training requirements	No.
Experience requirements	No.

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No.</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>No.</p>
<p>Initial fee</p>	<p>Salvage Dealer License \$100 without Master Plate (optional). \$154.75 with Master Plate plus any additional plates (optional) at \$10.25 each.</p> <p>Salvage Motorcycle/Motor scooter/APV License \$100 for license.</p>
<p>Duration</p>	<p>2 Years.</p>
<p>Renewal fee (<i>If different from initial fee, please explain why.</i>)</p>	<p>Salvage Dealer License \$100 without Master Plate (optional). \$150.00 with Master Plate plus any additional plates (optional) at \$10.00 each.</p> <p>Salvage Motorcycle/Motor scooter/APV License \$100 for license.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:	
Does the Bureau recognize uniform licensure requirements or allow for reciprocity?	No. Each state varies in their requirements for such license.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?	<p>Yes. If the acquisition of salvage motor vehicles is incidental to the primary business of the person.</p> <p>If the disposal of those salvage motor vehicles is incidental to the primary business of the person.</p> <p>A person may perform up to 5 casual sales of salvage motor vehicles within a calendar year without having to obtain a salvage dealers license; casual sale meaning from person to a person who purchases the motor vehicle for use as a consumer.</p>
Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes.
Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)	A brick-and-mortar location is required to be maintained for a salvage license, as is required in all states. The location must comply with shielding and meet the requirements of the Highway Beautification Act of 1965," 79 Stat. 1030, 23 U.S.C.A. 361, as amended.

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4738.07 of the Revised Code lists the reasons for the denial of a salvage dealer’s application by the Registrar.

Section 4738.071 of the Revised Code lists the reasons for the denial of a salvage dealer’s provisional license by the Registrar.

Section 4738.12 of the Revised Code authorizes the board to suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4738.01](#) to [4738.16](#) of the Revised Code, or has been convicted of committing a felony or violating any law which in any way relates to the theft of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Counterfeiting and Forgery: 18 U.S.C. 511

18 U.S.C. 512

National Motor Vehicle Title Information System: 49 U.S.C. 30501 through 30504

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, theft, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

Salvage Motor Vehicle Dealer License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4738.02 and 4738.04</i>).	Automotive salvage recycler license (<i>Ind. Code 9-32-9-1 and 9-32-11-1</i>).	Registration (automotive recycling dealer license) (<i>Ky. Rev. Stat. 190.030</i>).	Dealer license with automotive recycler classification (<i>Mich. Comp. Laws 257.248</i>).	No clear equivalent.	Registration (wrecker/dismantler/rebuilder license certificate) (<i>W. Va. Code 17A-6-3</i>).
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$100 (<i>R.C. 4738.05</i>).	\$10 (<i>Ind. Code 9-32-9-3</i>).	\$200 per office or branch (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	\$160 (<i>Mich. Comp. Laws 257.807</i>).	N/A	\$250 (<i>W. Va. Code 17A-6-10</i>).
License duration	Two years (<i>R.C. 4738.05</i>).	One year (<i>Ind. Code 9-32-11-12.5</i>).	One year (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	One year (<i>Mich. Comp. Laws 257.248</i>).	N/A	One year (<i>W. Va. Code 17A-6-10</i>).

Salvage Motor Vehicle Dealer License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Renewal fee	\$100 (<i>R.C. 4738.05</i>).	\$10 (<i>Ind. Code 9-32-11-12.5</i>).	\$200 per office or branch (<i>Ky. Rev. Stat. 190.030; 605 Ky. Admin. Regs. 1:215</i>).	\$160 (<i>Mich. Comp. Laws 257.807</i>).	N/A	\$15 (<i>W. Va. Code 17A-6-10</i>).

Salvage motor vehicle auction

Survey responses (BMV)

Description
Any person who on the person's behalf or as an agent for a third party engages in business for the purpose of auctioning salvage motor vehicles.
Type (<i>License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.</i>)
License, registration, inspection, bonding and occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Number issued annually	2021: 0 Salvage Auction licenses issued
Number renewed annually	Salvage Auction Licenses are renewed <i>biennially</i> . 2020: 6 Salvage Auction licenses renewed 2021: 9 Salvage Auction licenses renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	2016: 0 Salvage Auction licenses issued 2017: 1 Salvage Auction licenses issued 2018: 0 Salvage Auction licenses issued 2019: 2 Salvage Auction licenses issued 2020: 0 Salvage Auction licenses issued
Education or training requirements	No.
Experience requirements	No.
Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)	No.
Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)	No.

If the regulation is a registration, certification, or license requirement, please complete the following:	
Initial fee	<p>Salvage Auction License</p> <p>\$100 without Master Plate (optional).</p> <p>\$154.75 with Master Plate plus any additional plates (optional) at \$10.25 each.</p>
Duration	2 Years.
Renewal fee <i>(If different from initial fee, please explain why.)</i>	<p>Salvage Auction License</p> <p>\$100 without Master Plate (optional).</p> <p>\$150.00 with Master Plate plus any additional plates (optional) at \$10.00 each.</p>
Does the Bureau recognize uniform licensure requirements or allow for reciprocity?	No. Each state varies in their requirements for such license.
Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?	No.
Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?	No.
Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes.

If the regulation is a registration, certification, or license requirement, please complete the following:

Other information (*Significant attributes or prerequisites to licensure not addressed in this chart.*)

A brick-and-mortar location is required to be maintained for a salvage auction license, as is required in all states.

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4738.07 of the Revised Code lists the reasons for the denial of a salvage auction application by the Registrar.

Section 4738.12 of the Revised Code authorizes the board to suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4738.01](#) to [4738.16](#) of the Revised Code, or has been convicted of committing a felony or violating any law which in any way relates to the theft of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Counterfeiting and Forgery: 18 U.S.C. 511

18 U.S.C. 512

National Motor Vehicle Title Information System: 49 U.S.C. 30501 through 30504

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, theft, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

Salvage Motor Vehicle Auction License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4738.02 and 4738.04</i>).	No clear equivalent. Duties might fall under automotive salvage recycler license. (<i>Ind. Code 9-32-9-1.</i>)	No clear equivalent. Duties might fall under automotive recycling dealer license. (<i>Ky. Rev. Stat. 190.030.</i>)	No clear equivalent. Duties might fall under dealer license. (<i>Mich. Comp. Laws 257.248.</i>)	No clear equivalent.	No clear equivalent. Duties might fall under wrecker/dismantler/rebuilder license certificate. (<i>W. Va. Code 17A-6-3.</i>)
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A

Salvage Motor Vehicle Auction License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Initial licensure fee	\$100 (R.C. 4738.05).	N/A	N/A	N/A	N/A	N/A
License duration	Two years (R.C. 4738.05).	N/A	N/A	N/A	N/A	N/A
Renewal fee	\$100 (R.C. 4738.05).	N/A	N/A	N/A	N/A	N/A

Salvage motor vehicle pool

Survey responses (BMV)

Description
Any person who as an agent for a third party engages in business for the purpose of storing, displaying, and offering for sale salvage motor vehicles.

Type (License, specialty license for medical reimbursement, government certification, registration, bonding or insurance, inspection, or process regulation. See R.C. 4798.01 for relevant definitions.)

License, registration, inspection, bonding and occupational regulation.

If the regulation is a registration, certification, or license requirement, please complete the following:

Number issued annually	2021: 0 Salvage Pool licenses issued
Number renewed annually	<i>Salvage Pool Licenses are renewed biennially.</i> 2020: 4 Salvage Pool licenses renewed 2021: 7 Salvage Pool licenses renewed
Have there been significant increases or decreases in active registrations, certifications or licenses in the preceding six years?	2016: 0 Salvage Pool licenses issued 2017: 1 Salvage Pool licenses issued 2018: 0 Salvage Pool licenses issued 2019: 0 Salvage Pool licenses issued 2020: 1 Salvage Pool licenses issued
Education or training requirements	No.
Experience requirements	No.

If the regulation is a registration, certification, or license requirement, please complete the following:

<p>Examination requirements (<i>Who administers the exam? How is the exam and administrator selected? What fees are charged? Does the Bureau receive any proceeds of those fees? If so, how are the proceeds used?</i>)</p>	<p>No.</p>
<p>Continuing education requirements (<i>Including a description of the curriculum and the process of setting it.</i>)</p>	<p>No.</p>
<p>Initial fee</p>	<p>Salvage Pool License \$100 without Master Plate (optional). \$154.75 with Master Plate plus any additional plates (optional) at \$10.25 each.</p>
<p>Duration</p>	<p>2 Years.</p>
<p>Renewal fee (<i>If different from initial fee, please explain why.</i>)</p>	<p>Salvage Pool License \$100 without Master Plate (optional). \$150.00 with Master Plate plus any additional plates (optional) at \$10.00 each.</p>
<p>Does the Bureau recognize uniform licensure requirements or allow for reciprocity?</p>	<p>No. Each state varies in their requirements for such license.</p>
<p>Are there any similar national registrations, certifications, or licenses? Could they be used as a substitute for the state regulation?</p>	<p>No.</p>

If the regulation is a registration, certification, or license requirement, please complete the following:

Are there any circumstances in which an individual may practice elements of the occupation without being regulated by the Bureau?	No.
Is the Bureau permitted to exercise discretion in determining whether to register, certify, or license an individual?	Yes.
Other information (<i>Significant attributes or prerequisites to licensure not addressed in this chart.</i>)	A brick-and-mortar location is required to be maintained for a salvage pool license.

Oversight and disciplinary authority of the Bureau respecting individuals engaged in the occupation.

Section 4738.07 of the Revised Code lists the reasons for the denial of a salvage pool application by the Registrar.

Section 4738.12 of the Revised Code authorizes the board to suspend or revoke any license if the licensee has in any manner violated the rules issued pursuant to sections [4738.01](#) to [4738.16](#) of the Revised Code, or has been convicted of committing a felony or violating any law which in any way relates to the theft of motor vehicles.

How much revenue is derived from fees charged by the Bureau to individuals engaged in the occupation (such as license and renewal fees)? How is that revenue used?

All license fees are required to be paid to the registrar of motor vehicles, who shall pay the same into the state treasury to the credit of the public safety - highway purposes fund established by section [4501.06](#) of the Revised Code.

Each applicant whose residence is out-of-state is assessed an additional fee of \$22 to pay the costs of obtaining a record of any arrests and convictions of the applicant from the Ohio bureau of identification and investigation (*Fingerprint Card*).

Describe any federal regulations that apply to the occupation. Does federal law require the state to regulate the occupation?

Counterfeiting and Forgery: 18 U.S.C. 511

18 U.S.C. 512

National Motor Vehicle Title Information System: 49 U.S.C. 30501 through 30504

What is the harm that the regulation seeks to prevent? (See, R.C. 4798.02(B).)

The regulations are intended to protect consumers against fraud, theft, deceptive trade practices acts and inspections of dealer premises to ensure they are a safe and secure environment for consumers.

Is the regulation effective at preventing the harm described above? Are there other, less restrictive ways to prevent the harm?

Yes.

Are there any changes the Bureau would like to see implemented?

No.

Surrounding state comparison (LSC)

Salvage Motor Vehicle Pool License						
	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Type of regulation	License (<i>R.C. 4738.02 and 4738.04</i>).	No clear equivalent. Duties might fall under automotive salvage recycler license. (<i>Ind. Code 9-32-9-1.</i>)	No clear equivalent.	Dealer license with vehicle salvage pool operator classification (<i>Mich. Comp. Laws 257.248</i>).	Registration (automotive dismantler and recycler license) (<i>36 Pa. Stat. 2719.2 and 2719.3</i>).	Registration (salvage yard license) (<i>W. Va. Code 17-23-2 and 17-23-3</i>).

Salvage Motor Vehicle Pool License

	Ohio	Indiana	Kentucky	Michigan	Pennsylvania	West Virginia
Education or training	N/A	N/A	N/A	N/A	N/A	N/A
Experience	N/A	N/A	N/A	N/A	N/A	N/A
Exam	N/A	N/A	N/A	N/A	N/A	N/A
Continuing education	N/A	N/A	N/A	N/A	N/A	N/A
Initial licensure fee	\$100 (<i>R.C. 4738.05</i>).	N/A	N/A	\$75 (<i>Mich. Comp. Laws 257.807</i>).	\$100 (<i>36 Pa. Stat. 2719.3</i>).	\$200 (<i>W. Va. Code 17-23-3</i>).
License duration	Two years (<i>R.C. 4738.05</i>).	N/A	N/A	One year (<i>Mich. Comp. Laws 257.248</i>).	One year (<i>36 Pa. Stat. 2719.3</i>).	One year (<i>W. Va. Code 17-23-3</i>).
Renewal fee	\$100 (<i>R.C. 4738.05</i>).	N/A	N/A	\$75 (<i>Mich. Comp. Laws 257.807</i>).	\$100 (<i>36 Pa. Stat. 2719.3</i>).	\$200 (<i>W. Va. Code 17-23-3</i>).